



NEW JERSEY GENERAL ASSEMBLY

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ENVIRONMENT AND
SOLID WASTE
INTERGOVERNMENTAL
RELATIONS COMMISSION

April 9, 2019

VIA U.S. MAIL & ELECTRONIC MAIL

Hon. Kevin J. O'Toole, Chairman
The Port Authority of New York & New Jersey
4 World Trade Center
150 Greenwich Street
New York, NY 10007

Rick Cotton, Executive Director
The Port Authority of New York & New Jersey
4 World Trade Center
150 Greenwich Street
New York, NY 10007

Re: United Airlines – Boeing 737 Max MCAS Safety Features

Dear Chairman O'Toole and Executive Director Cotton:

I write today following the tragic plane crashes experienced by Lion Air and Ethiopian Airlines. Both accidents occurred shortly after erratic takeoffs and involved Boeing 737 Max 8 aircrafts. Lion Air crashed in October 2018 in Indonesia resulting in the death of 189 people. Within five months, an Ethiopian Airlines plane crashed in March 2019, under similar circumstances resulting in the death of 157 people.

While both crashes are currently under investigation to determine the exact cause, a leading theory contends the new Maneuvering Characteristics Augmentation System (MCAS) received bad data from a faulty sensor. This triggered the doomed planes to pitch their noses downward ultimately resulting in the pilots losing control of their respective planes.

Boeing, attempting to meet a hurried deadline, justified not offering additional training for pilots due to the fact the software worked automatically in the background. Instead, they offered two optional safety features that airlines could purchase separately to alert pilots of a system malfunction. If the safety features were installed, it may have averted the tragic crashes. Sadly, this was not mandatory.



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As I am sure you are aware, there are currently three American owned airline carriers that operate the Boeing 737 Max models. Southwest Airlines and American Airlines both operate the Max 8 model and respectively fly 34 and 24 planes in their fleet. Both airlines opted to **install** the referenced optional safety features. On the contrary, to my dismay, it has been reported United Airlines, which operates 14 Max 9 models, opted **not** to install the safety features on their aircrafts.

As the story unfolds through the ongoing criminal investigation as to why the features were not mandated by the Federal Aviation Administration, it is my belief that United Airlines should have taken all precautionary measures and opted to install these critical features like their competitors. What was United's reason for not purchasing safety features! By not installing these critical safety mechanisms, United Airlines put their pilots, staff and customers lives at risk.

While the expense of these features may be a factor for some low-cost air carriers, United Airlines cannot be placed in that category. United operates 1.7 million flights, carries over 158 million customers, takes in hundreds of millions of dollars in profits and should never put a **price on safety**. The traveling public should be outraged and as an elected representative of this state, I most certainly am.

I respectfully request that the Port Authority of New York & New Jersey, as part of any lease agreement with an airline carrier that operates at any of the three major hubs, **require** the carrier to install **all** safety features on their planes, even those deemed optional, in order to continue operating at a Port Authority airport.

It is cringeworthy for us to be left wondering what other commercially available safety features were not installed in United's fleet. Given its leverage, the Port Authority, should demand an immediate audit of all United's aircraft and the disclosure of all safety features that have not been installed.

I appreciate your thoughtful consideration of this request and look forward to your reply.

Sincerely,

A handwritten signature in black ink that reads "John F. McKeon".

John F. McKeon
Assemblyman – District 27